



CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
Office of Public Safety and Inspections
Architectural Access Board

1 Ashburton Place, Rm 1310 • Boston • Massachusetts • 02108
V: 617-727-0660 • www.mass.gov/aab • Fax: 617-727-0665

JOHN C. CHAPMAN
UNDERSECRETARY OF
CONSUMER AFFAIRS AND
BUSINESS REGULATION

CHARLES BORSTEL
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

THOMAS HOPKINS
EXECUTIVE DIRECTOR

Board Meeting Minutes – October 15, 2018 9:00 a.m.
One Ashburton Place, Basement Level, Ashburton Café Function Room

Board Members Present:

- Jane Hardin (JH)
- Ray Glazier (RG)
- Evan Bjorklund (EB)
- Dawn Guarriello (DG)
- David Johnson (DJ)
- Patricia Mendez, (PM)
- Harold Rhodes (HR)

Also in Attendance:

- Thomas Hopkins, Executive Director (TH)
- Kevin Scanlon, General Counsel, DPL
- Karen Brann, Program Coordinator/Clerk for the Board (KB)

Board Members not in Attendance:

- Walter White (WW)
- Andrew Bedar (AB)

JH, PM, HR, DJ, DG, EB

Incoming Case Review:

1) Pellham Community Hall, 40 Amherst Road, Pelham, V18-304

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Renovation of a community building to make it accessible. Full compliance has been triggered.

The petitioner is seeking four variances. 25.1 – Have three entrances seeking relief for two entrances.

25.1 – DG motioned to grant. PM seconded, passed unanimously.

30.7.1 – toilet room size provide 60 x92.

EB motioned to grant. DG seconded, passed unanimously.

30.9.2 - 10.4 inches under the sink.

PM motioned to grant. EB seconded, passed unanimously.

Section 3.2 applies, they need to make the kitchen accessible. Asking for a 2 year time variance to upgrade kitchen. New sink, butcher block table with knee space, refrigerator, range, cabinets and sink to remain as they are.

EB motioned to grant on the condition of status report at the first year and then the second year. DG seconded, passed unanimously.

2) Gamestop, 647 Boylston Street, Boston, V18-313

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Seeking variance to install a replacement incline wheelchair lift.

EB motioned to grant. DG seconded, HR objected, motion passed.

3) Interior Alterations, 52-54 JFK Street, Cambridge, V18-314

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Three story with basement, reconstruction and remodeling. Jurisdiction 3.3.1b. Seeking relief from 25.1. Existing building, mixed use. Common areas.

DG motioned to grant. EB seconded, passed unanimously.

4) Town Hall, 334 Main Street, Great Barrington, V18-315

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Two story, brick colonial. Municipal building, currently used as town hall and registry of deeds. Repair/replace existing failing entry steps, walkway and railings. 25.2 and 25.1. Have letters from building inspector, project engineer, Mass Historic. Building is accessible and has an alternate accessible entrance. Repairs to front entrance steps.

EB motioned to grant as proposed. PM seconded, passed unanimously.

Kevin Scanlon arrived.

5) St. Helena's House, 89 Union Park Street, Boston, V18-316

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Senior affordable housing, 84 residential units. The petitioner is seeking 15 requests.

DG motioned to packet for 10/29/18 next meeting. PM seconded, passed unanimously.

6) Walpole Dental, 965 Main Street, Unit 3 & Unit 3B, Walpole, V18-317

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

New tenant fit out for dental office. Variance is for 28.12.4b incline lift for dental practice. They have a compliant front entrance.

DG motioned that the variance is not required and for the petitioner to send the Board clearer pictures of the handicapped parking with the striping for accessible van space. EB seconded,

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

passed unanimously.

7) The Norad Mill, 60 Roberts Drive, North Adams, V18-318

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Mill with four floors with various tenants.

Tenant build outs are in progress. 3.3.1b accessible entrance, common area bathroom, there is also change in use. In process of converting the freight elevator to passenger elevator.

Would like to use space and seeking time until 11/30 2018

EB motioned to grant. PM seconded, passed unanimously.

8) EH Chocolatier, 145 Huron Avenue, Cambridge, V18-319

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Partial application done by Cambridge Building Inspector. Over 30%. The petitioner is seeking a variance for the entrance and slope landing. Cambridge Commission went to the shop and measured the slope, 16.3%. Proposing auto door opener interior and exterior actuator button. 26.6.1 is what is really needed.

DG motioned to grant on the condition of an automatic door opener with interior and exterior actuator buttons as well as an assistance button located before the ramp.

EB seconded, passed unanimously.

9) St. Paul's Residence, 32-34 Mount Auburn Street, Cambridge, V18-320

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

18 SRO apartments, 2 family units, management unit. Replacement and enlargement of elevator, HVCV, windows, 4 SROs, bathrooms, accessibility, parking. Seeking three variances, Two front entrances. People need to go to the back to enter. Spending over 30 percent and required to be made accessible.

25.1

HR motioned to continue for staff to request a site plan for the location of the accessible parking, and for staff to confirm if there is or isn't parking, if there is accessible parking, confirm it is compliant. EB seconded, passed unanimously.

Non-compliant handrails –

DJ motioned to grant on the condition of wall side compliant handrails.

EB seconded, passed unanimously.

44.1 non-compliant bathrooms on third and fourth floors

EB motioned to grant. PM seconded, passed unanimously.

10) Seasonal Ice Rink, 7 Crown Drive, Quincy, V18-321

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Seasonal, want a ramp that goes down to rink. First design was by handy ramp – the handrails didn't comply. They came up with a plan.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

The petitioner is seeking a time variance during the time the seasonal rink is being used.
Petitioner wants to use a portable ramp to the rink.

DJ motioned to grant on the condition of a time frame of when installed and on the condition the ramp is put in each season and complies with section 24 and is maintained and inspected. EB seconded, passed unanimously.

11) Job Connector, 782-798 Main Street, Cambridge, V18-322

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Renovation of ground floor.

Waive two week waiting

PM motioned to waive the two week waiting period. EB seconded, passed unanimously.

30.2 location public toilet rooms. Will provide a new unisex. Won't be next to the other.

~~*PM motioned to grant. EB seconded, passed unanimously.*~~

25.1 Existing restaurant entry

PM motioned to continue for more information and clarification. EB seconded, passed unanimously. 46 inches instead of 48 inches.

24 and 27 Main Street ramp

~~*PM motioned to grant. EB seconded, passed unanimously.*~~

24.5.8

~~*EB motioned to grant. DG seconded, passed unanimously.*~~

Cross slope 24.6

~~*PM motioned to grant. EB seconded, passed unanimously.*~~

27.1 existing stairs

DG motioned to hold the motions to grant and continue for a meeting with the staff for clarification with owner and architect. DJ seconded, passed unanimously.

RG ARRIVED

Executive Session, Discussion of Pending Litigation - Closed Session pursuant to M.G.L. c. 30A, § 21

Roll call to go into Executive Session

JH opened the Executive Session and took roll call for the purpose of litigation.

DJ

DG

PM

EB

RG

HR

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Roll call to exit Executive Session

JH

DJ

DG

PM

EB

RG

HR

12) Six Floor Apartment Building, 1039 Massachusetts Avenue, Cambridge, V18-323

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

13) Millers River Apartments, 15 Lambert Street, V18-324

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Reconstruction and remodeling. Over 30%.

Waive two week waiting period

EB motioned to waive two weeks. RG seconded, passed unanimously.

Seeking 6 variances.

Received letter from Michael Muehe is support and some oppositions.

9.4 distribution unit 103

Asking to postpone until current unit is not leasing the unit.

RG I think it should be at the end of the lease period. The existing tenant could be there for decades.

BCIL supports with temporary relief 1 or 2 years with periodic updates.

See permits at time of work on the building.

#1 EB motioned to grant a one year time variance. RG seconded, passed unanimously.

#2 – basement storage and laundry

RG they said they will put one in the unit.

10.5, 10.8.1

RG motioned for a one year time variance. EB seconded, passed unanimously.

#3 Existing ramp slope

BCIL opposed

HR Helpful to know the cost of a new ramp. 24.2.1 and 24.4.5

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 5 of 22

HR motioned to deny the request and require completion within 1 year for the entire ramp to be compliant including handrails. RG seconded, passed unanimously.

#4 25.1 residential entry

Rear was approved under another application.
RG needs to be lighting and shelter for the rear ramp.

HR motioned to continue for staff to get information on the additional accessible improvements and check to see if handrails are compliant. EB seconded, passed unanimously.

#5 10.1

EB motioned to Grant. RG seconded, passed unanimously.

#5 10.1 stairwells

HR motioned to grant. EB seconded, passed unanimously.

14) Millers apartments V1-234 Cambridge

Seeking maneuvering clearances section 26 at existing stairwell doors. Don't have pull side clearance. 5 variances. Proposing wall side handrails. Trash room maneuvering clearances.

Stairway inner handrail dog legs

DG motioned to Grant. RG seconded, passed unanimously,

Handrails

David Johnson motioned to deny. DG seconded, passed unanimously.

DJ motioned to request the petitioner to make the wall side handrail compliant between 34 and 38 inches. DG seconded, passed unanimously.

Trash – PM motioned to grant on the condition of a policy and the policy is made clear in the lease language. RG seconded, passed unanimously.

15) Proposed Multifamily, 844 Morton Street, Mattapan, V18-325

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

New construction 3.2. Three story 14 unit with garage under. Install a LULA in lieu of a full elevator. Proposing LULA to serve garage and first floor units. Received an email from Mike Muele BCIL opposed to variance request. Group 1 units are the issue

RG motioned to deny. If the petitioner chooses to serve 14 units with a LULA staff can write a motion allowing. DG seconded, passed unanimously.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Hearings

11:00 a.m. - Barn, 317-341 Virginia Road, Concord (V18-027) - Variance Hearing

Exhibit #1 – Hearing package AAB 1 –

Exhibit #2 – Email, plan and photo showing current measurements

Elisabeth Elden, (EE) Gaining Ground

The Chair swore the party in.

RG, EV, JH, PM, HR, DJ

DG recused herself and left the room

EE – I sent in an updated plan and photo, entered as Exhibit #2. We moved the sink. Two inches off. Need a variance for two inches. I think both reasons apply. There is a utility wall. The barn foundation is a slab. Either solution of the two inches would cost a significant amount of money. We are committed to having the bathroom comply, we would spend the money to move the wall. We have volunteers that have physical challenges. We have a portable, we want them to use this one. We can move the hand bars.

HR – When the center line is 18” the angle reach is at a certain height. Now it is moved over, the person will have to reach up higher. Suggestion is to lower about 1 ½ - 2 inches. Would provide an easier lower transfer. If a little bit lower I would maintain the same angle height. Would it be possible to lower the bar?

EE - Yes.

EE - Between 30 – 36 inches. I don't think I have the height in here.

HR – 34 inches is the normal.

JH - If you can measure what it is currently, an estimate that you would lower it approximately 2 inches.

DJ – Between 33-36 inches.

HR - Give a variance to lower to 32 inches if needed.

EE - I would like to invite the board to see what we do there.

PM - How about if we set at 33 inches, it will be within the range.

PM motioned to grant with the condition of relocating the side grab bar to 33 inches above the finished floor. EB seconded, passed unanimously.

16) TD Garden, 100 Legends Way, Boston, V18-326

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

The petitioner is seeking three variance requests. In 1990 we granted relief for two of the sky boxes. TH met with the petitioners. The Board received a letter of support from BCIL. They have no objections to the variance requests. They correct all the line of sight issues except one.

#1 number of seats. Will comply with 2010 ADA standards. Our code requires higher level of seating.

#2 29.2 level changes – Suite access that we previously granted

#3 Public toilet rooms section 30

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Are offering viable alternatives.

EB motioned to grant on all three variance requests with the condition that staff is trained on guiding people to the bathrooms and appropriate signage and information on the programs and website. RG seconded, passed unanimously.

17) Forest Street Apartments, 16-19 Forest Street, Cambridge, V18-327

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Renovation reconstruction seeking 7 variances.

PM Motioned to packet for 10/29/18. DJ seconded, passed unanimously.

18) Cross Slope, 215 Border Street, East Boston, V18-328

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

New sidewalks and curb cuts as part of improvements. One corner has conflicting cross slopes, want relief for furniture zone.

Color coding demarcation.

~~PM motioned to grant on 2.35% EB seconded, David Johnson abstained~~
PM withdrew motion

*PM motioned to grant on all of the variances as proposed.
EB seconded, DJ abstained. Motion passed.*

19) Walando Homes, 25, 31 Orlando Street, 91, 93, 95, 97, 99, 101 Waldeck Street, Boston, V18-277

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Seeking five variances.

#1 EB motioned to grant HR Seconded.

#2 9.4.2 HR motioned to grant. DJ second, passed unanimously.

#3 27.4.1 PM motioned to grant with the condition of an outside handrail be provided on the brick wall. EB seconded, passed unanimously.

#4 height of handrails HR motioned to continue and request staff to contact petition in regards to variance number 4. EB seconded, passed unanimously.

#5 handrails HR motioned to grant on the condition wall side handrail is provided. RG seconded, passed unanimously.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

20) Existing Granit Slabs, 106 Blackston Street, Boston, V18-085

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Denied on 4/23/18. Ordered a meeting with staff. They submitted a large packet.

HR Motioned to deny and a hearing be scheduled. EB seconded, DJ and PM abstained, motion passed.

HR left for the day.

Jonathan Maynard building, Framingham

Exhibit #1 Hearing Package AAB 1-27

Exhibit #2 – Email from Karen Dempsey

Exhibit 3 – New site plan

Exhibit #4 – Site Plan – Proposed Option 2

Eugene Novak, Building Inspector (EN)

Patricia Whitney, (PW)

Amanda Ford, (AF)

Kyle Larabee (KL)

David Correia (DC)

Karen Dempsey (KD)

The Chair swore the parties in.

RG, EB, JH, PM, DG, DJ

KL – We applied for the variance in the materials handed out. In our thirty day period to decide to file we studied the conditions. The technical requirements, we can meet the conditions. The historical entrance.....I have a plan that describes this. Exhibit 3 is a plan showing ramps negotiation elevation from historic entrance to existing entrance. A series of ramps. The path of travel is 310 feet. We also undertook a cost estimate, estimate work at \$191,000. From project point of view there are no funds to find work presently. I reached out to staff to see what to do. Our plan B without funds would be to close historic entrance. I told staff if we can't afford to do work we don't need the variance. Staff advised me to file for a hearing. In the meantime, we investigated alternative compliance. The sidewalk is unsafe there. We met with the city and they are willing to work with us. Not only does it have to do with our project, it creates public safety. This project can help move other cultural project along. Exhibit four will provide a safe path..... will use a walkway to get to street to accessible entrance. It is unlikely this plan will be in effect by time the building is in use.

AF – We acquired the building last year to support university programing. The grove street parking lot entrance was primary entrance. Request to use.....entrance came from..... Using Grove Street would not be a diminished experience. It was always supposed to be primary entrance. Our intention is to have grove street side the primary entrance.

DG – I can find the estimate building value but not project cost.

KL – the original 2.1 mill. Bid at 2.5. Since starting renovations have uncovered surprises. Challenging conditions. Electrical problems 2.9 m. Trying to finish.

DG – What percent of the project is that? It is almost 10% of your original to do the proposed one...

DG - When you met with city did they feel they will have funding, are they participating as a partner?

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

DG - Who uses the front?

KL - No one currently uses the front.

PW - In this building there are 3 components, ground floor studio art, third floor Danforth art school, second floor new art museum. That door can only be used by art area. The art museum would like to retain museum for events. Very limited practical use. It would be used for certain events. The main reception desk is outside the elevator. Museum would like to reserve an option to reserve. A ramp would invite people to go there and there is no access to the rest of the building. In exhibit 2 people would like to see continuous access because we allow the community to use our parking lot. We don't have to but we would like to. To support city and community activities.

KD - I have some vision issues can the letter be read into the record.

JH read the letter. At last commission letter took up request. The commission voted for the board to keep conditions in place. No safe path of travel

Photos are also with the letter. We urge the board to uphold original decision and grant with these conditions.

KD - Following up with the letter, we understand the reason for going for the variance for front entrance. Who from city did you meet with?

KL - peter sellers and staff DPW.

KD - did you meet with AAB or the commission?

KD - I left messages but we never go to talk. Please reach out to us with questions on access. Sometimes we can come up with new ways for access. DPW would be key. If you are in a wheelchair and going into the building and want to go across to village hall you have to go through the entire parking lot on to Grove Street, there is no curb cut. When you are behind the building there is a stairway and another access area.

KL - That is leading from an egress only fire stair. You cannot get to the common from there.

KD - This is a state building that the state owns. Our concern is that people do park there. It has always been an issue minimal parking. When this came up this would be a great time if it is feasible put some type of a ramp. That is where we come in and hope it would be some kind of a resolution. I don't know if there are people with disabilities using that route. We are concerned about the safety. They use it a lot.

PM - Did you price this walkway in exhibit 4?

KL - We estimate it at \$105,000

PM - When you talked to DPW do you know the time frame.

PM - We did something else with the city in a short period of time. Probably not in the next month but not two years either.

KD- there are a couple ways of access. However, the issue is if you park in the parking lot you have to go through the parking lot then grove street then around. Have to go to the parking lot to go to the parking lot.

KL - Exhibit 4 shows is mobility issues, we would provide a legal walkway, not in parking lot but through trees.

KD - I would have to go out and see this.

KL - We walked Grove Street with Peter Sellers and his staff.

DC - I see the proposed 1 and 2 options. Option 1 191, 000, Option 2 105,000. What is this?

KL - A pull off on Grove Street.

DC- is there an option to go this way?

KL - there are grades. He is diagraming a shorter path. It cuts across a steep grade. The other walkway is a plain walkway.

DC - the green is the common across the street. Will the museum of arts be doing things on the

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 10 of 22

common?

PW - I have not been involved in discussion re that.

DC - peter sellers is a good man to work with, my suffusion is to get a time frame. There are a lot of activities here. With a side walk there would be more safety.

KL - the pathways from accessible parking to the opposite side on Vernon street, our task was to get to the historic entrance of the building.

DC - if that was the case then exhibit 3 option 1 would be best?

DC- this area is going to be used by the city.

KD - we understand the access to the front entrance. The front entrance connects this pathway that connects to the sidewalk next to the common. When I was there I saw three groups of people going back and forth. I was surprised in the time I was there I saw people going both ways.

EB - on Ex 4 105K is it something you are willing to do?

PW - there is a higher likely we could defer projects and get money from city. We could cancel other projects to make it a reality.

EB - you are familiar with working with the city. Would this take about a a year.

PW - I can't commit to that because I can't stand behind that.

JH - were we going to allow use of the front door?

TH – you granted it and they talked about closing it.

JH - with an approved accessibility path would you feel as strongly about that. You're not going into the building you are going through the accessible entrance.

KL a zoomed out plan would be helpful.

JH - needed to be more explicit.

PW - the confusion is some of the confusion we shared. It does feel like we are expanding beyond the project.

JH - the board may want to talk more about this more.

DC - the parking lot is used for all the events there.

DG - they don't have to let people use it. I am having a hard time asking...it would be nice to have but should we require them to do it.

KD - I am thinking if I am taking a class in the building, and they plan to go across to the common, or village hall, if someone with a disability they cannot go across with the class.

PW - we are renovating those spaces and no intensions for them to be off property.

AF - these are studios. Programs already exist. They were not using the campus green wouldn't be a reason to change the curriculum.

JN - two things, the university has been the best client, they have done what I have asked. The university recently acquired this building from others. The heat was being turned off, the water barley trickling out, Patricia and I went through the building, the building was in shambles, we can get to a consensus here.

KD - I agree with Gene. We compromise. But in 2018 the disability population is about 20% this isn't going to go away. There is a need. I know they have been very good. If we can make a plan in phases, can we please not forget that it is 2018. Why is access always to be thought as too much? I am tired of this argument.

DG motioned to uphold the granting of the variance on the front entry on the condition of giving a two year time variance for the petitioner to sit down with city and come back to the Board with a solution. If they choose to close the entrance to the public, it is done in the form of an affidavit through the registry of deeds.

EB seconded, passed unanimously

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

KL what is the position of the historic door in the two years.

JH if we do the two year to look for alt routes. Are we upholding the variance on front door.
Yes.

21) 77 Unit Building, 10 Shipyard Drive, Hingham, V18-329

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

3.2 jurisdiction. Five story 77 unit, first floor and outdoor parking garage, court yard. Sink depths. DG motioned to grant with the usual conditions. PM seconded, passed unanimously.

22) Six Level Structure, 480 Rutherford Avenue, Charlestown, V18-330

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Apartment units, new construction. 3.2. variance for sink and outlet heights.

DG motioned to grant on both with the usual conditions. EB seconded, passed unanimously.

23) Truth Organic Spa, 55 North Main Street, North Grafton, V18-331

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Spa with a float tank. Over 30%. Only seeking relief for the float tank. They need more variance 25.1, 28.1, etc. Inspector and architect contacted Tom. They are going to submit an amendment for the next meeting.

RG motioned to deny. EB seconded, passed unanimously.

24) Barnum Hall, Tufts, 163 Packard Avenue, Medford, V18-332

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Four story educational building. Being converted into more classrooms and studios. Uneven levels. Multiple requests.

DG motioned to packet. PM seconded, passed unanimously.

25) Sidewalk Area, 899 Boylston Street, Boston, V18-333

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Replacement of sidewalk, vault covers. Cross slope at furniture zone.

PM motioned to grant. DG seconded, passed unanimously.

26) Haynes House, 725-751 Shawmut Avenue, Boston, V18-334

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Three elevators, seven stories. Affordable units. Entrance at front of building.

1 elevator cab doesn't meet the exception.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 12 of 22

Maneuvering clearance at trash room.

PM motioned to grant on both requests as propose with the trash policy in the lease and training of staff. DG seconded, passed unanimously.

Administrative Discussion:

27) Halibut Point Visitors Parking Lot, Gott Ave. and Visitor Center, Granite St., Rockport, C13-036, V14-125

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

On 9/20/18 director of DCR access sent an email proposing to create temp hp parking to meet deadline. Previously continued at fine hearing.

TH read email into the record. This is a short term measure to show good faith. In the Spring a new parking lot will be constructed.

DJ motioned to accept the temporary solution and the final plan, when ready, be submitted to the Board as soon as possible for the Boards review. DG seconded, passed unanimously.

28) Town Hall, 59 Main Street, Hatfield, V13-136

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

EB motioned to accept the two year extension with status reports with pictures every 6 months. DG seconded, passed unanimously.

29) Mixed-use Building, 23 Federal Street, Nantucket, V15-300

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

A vehicle drove into the corner where the vertical wheelchair lift is. The owner was required to keep the building closed. TH wrote to Commissioner Knoll to allow to operate while being repaired.

DG motioned to grant the time variance for three months. EB seconded, passed unanimously.

30) Beaver Country Day School, 791 Hammond Street, Brookline, V16-019 & V17-336

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Received an amendment for 1 item, the exterior walkway to west side of the swimming pool.

We granted time to be in compliance. Construction to pool starts in 9/2019.

Can they provide a temporary walkway?

The other part of the pool is accessible.

PM motion to grant as proposed with updates every 4 months starting 9/1/2019. EB second, passed unanimously.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 13 of 22

31) Linden Industrial Center, 71 Linden Street, Lynn, V18-166
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Affidavit.

*EB motioned to accept the affidavit and require it to be registered at the registry of deeds with book and page number and a copy sent to the board and building inspector.
DJ seconded, passed unanimously.*

32) Hospital for Large Animals, Cummings School of Veterinary Medicine at Tufts University, 53 Willard Street, North Grafton, V18-211
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Received an amendment. More items are required to comply. Would like to add these items to the current time variance previously approved.

DG motioned to schedule a hearing for both cases the large animal hospital and small animal hospital. EB seconded, passed unanimously.

33) Lincoln Street Elementary, 549 Lincoln Street, Worcester, V18-126
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Previously the board ordered items. They submitted a sizable package for review.

~~*DG motioned to packet for next meeting. EB seconded, passed unanimously.*~~
DG withdrew motion.

See below.

34) Thorndyke Road School, 20 Thorndyke Road, Worcester, V18-127
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Received a large submittal in response to the notice of action.

*PM motioned to reopen Lincoln Street Elementary, V18-126.
DJ seconded, passed unanimously.*

DG motioned to withdraw the previous motioned and schedule a hearing for both schools Lincoln Street Elementary and Thorndyke Road School. EB seconded, passed unanimously.

35) South High Community School, 170 Apricot Street, Worcester, V18-186
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
The Board received a letter from the superintendent of schools.

EB motioned to accept the letter dated September 14, 2018 from Maureen Binienda, Superintendent, on the condition of the language in the letter being in an accessible format on

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.
Page 14 of 22

the petitioner's website, and including in the parent handbook. DJ seconded, passed unanimously.

36) Shady Hill School, Building 512 Renovations, 178 Coolidge Hill, Cambridge, V18-217
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Don't have any confirmation they gave information to building inspector or commission on disability. When they sent in information they copied the original application.

*DG motioned to continue to get confirmation of service to the Building Inspector and Commission on Disability, if the Board gets the confirmation of service, it will be included in package for 10/29/18. If petitioner cannot confirm service, they have to start over.
EB seconded, passed unanimously.*

37) Walpole Police Headquarters, 50 South Street, Walpole, V18-243
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Previously continued all requests, parking spaces, walkway, running slope of curb cut.

*DJ motioned to continue for additional information and for the petitioner to meet with staff.
EB seconded, passed unanimously.*

38) Sidewalk, 150-152 State Street, Boston, V18-264
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
TH had telephone calls with the petitioners.

*DJ motioned to deny and to schedule a hearing on 150-152 State Street and 148 State Street.
EB seconded, passed unanimously.*

39) Lost Shoe Brewing, 19 Weed Street, Marlborough, V18-270
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Previously continued the request for stall sizes and doors. The petitioner submitted an amendment seeking amendment for woman's room door to swing in and 18 inch in both men's and women's.

PM motioned to grant on both variances. EB seconded, passed unanimously.

40) Evolve Fitness, 11 California Avenue, Framingham, V18-273
Exhibit – Variance Application and associated documents
Mr. Hopkins presented the Variance Application and associated documents.
Previously denied and found that bathroom stalls do not comply also denied on showers. Stalls still don't comply.

31.7.1 and 31.7.3 shower stall and size and clear floor space.

30.6.1 stalls are too small

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.
Page 15 of 22

DJ motioned to deny the requests. EB seconded, passed unanimously.

41) Curb Cuts & Sidewalks, Multiple Locations, Arlington, Lawrence, Lowell, Revere, Swampscott, V18-281

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

AAB 9

First two Lowell requests,

EB motioned to continue for an analysis of these two requests creating a sloped down sidewalk.

PM seconded, passed unanimously.

Arlington walkway grade to landings on AAB 11

EB motioned that no variance a required. DJ seconded, passed unanimously.

Landings Arlington

EB motioned to continue for consideration of slope down sidewalk and variance at slope to meet drive way. DJ seconded, passed unanimously.

Lowell

EB motioned to grant as proposed. DJ seconded, passed unanimously.

Lawrence

EB motioned to continue for consideration of slope down sidewalk and variance at slope to meet driveway. PM seconded, passed unanimously.

Two Revere F3 F28 ramp

EB motioned to grant as proposed. DJ seconded, passed unanimously.

Ramp F41, F45, F49 Revere

EB motioned to continue for clarification a landing could be provided.

DG seconded, passed unanimously.

42) Residential Rehabilitation Services, 46-48 Kent Avenue, Pittsfield, V18-288

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Previously asked for study on a LULA and vertical wheel chair lift. They are making the argument they are not a public facility.

EB motioned to deny and schedule a hearing. PM seconded, passed unanimously.

43) Haskell Hall, Tufts University, 43 Latin Way, Somerville, V18-299

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Reconstruction renovation. Over 30%, The petitioner is seeking 8 variance requests.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 16 of 22

AAB 6

Existing laundry room are not accessible. Dorms in question are not designated as the accessible dorms.

#1 *EB motioned to grant. PM seconded, passed unanimously.*

#2 32.00

EB motioned to grant. PM seconded, passed unanimously.

#3 stairwells and handrails do not comply

DJ motioned to deny RG seconded, passed unanimously.

#4 transient lodging

DG motioned that the variance is not required PM seconded, passed unanimously.

#5

DG motioned that the variance is not required. PM seconded, passed unanimously.

#6

DJ motioned to deny. DG seconded, passed unanimously.

#7 Parking

DJ motioned to deny. DG seconded, passed unanimously.

EB left the meeting

44) PostMark Square, 136 Haven Street, Reading, V18-301

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Received a plan for handrail extensions.

DG motioned to accept the plan to fix the extension. PM seconded, passed unanimously.

JD joined the meeting

45) Squirrelwood Apartments, Multiple Streets, Cambridge, V18-305

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

#1 DG motioned to grant. DJ seconded, passed unanimously.

#2 landing at the ramp 24.4

JD motioned to grant DG seconded, passed unanimously.

#3 turning dimensions

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 17 of 22

~~DG motioned to grant. JD seconded, passed unanimously.~~

DG Withdrew motion

PM motioned to continue for a study on modification on mid-landing and removal of top segment of handrails. JD seconded, passed unanimously.

#4 handrails

JD motioned to grant on stair 1 and 2. RG seconded, passed unanimously.

#5 extensions handrail

JD continued for more clarification. PM seconded, passed unanimously

#6 distribution

JD motioned to continue for clarification 9.4 and 9.4.2. DG seconded, passed unanimously.

46) Restaurant, 283-285 Hanover Street, Boston, V18-306

Exhibit – Variance Application and associated documents

Mr. Hopkins presented the Variance Application and associated documents.

Previously continued for more information. Willing to do the landing change.

JD motioned to grant on an auto door opener with interior and exterior actuator button and a buzzer for assistance. PM seconded, passed unanimously.

47) Quinsigamond Community College, 670 West Boylston Street, Worcester, V18-311

Requested for information of the hours of the building. The building is a commuter campus not sleep over. Quest 6:00 a.m. to 11:00p.m., Harrington 6:00 am to 8:00 pm.

Seeking 22.3 slope of walkway handrails on both sides, benches, signage, elevators.

PM motioned to grant as proposed. DG seconded, passed unanimously

Vote – Minutes from the September 24, 2018 AAB Meeting

PM motioned to grant on the September 24, 2018 minutes. DG seconded, passed unanimously.

48) Advisory Opinion

- Water Fountains 521 CMR 36.1.1, and 36.1.2 Howe Engineers, Inc., A18-010
Low drinking fountain permissible
We count high low as a single unit.

JD motioned that both code sections indicate that a high low is a single fountain, if only 1 fountain needs to be provided, a high low must be provided.

RG second, passed unanimously.

Matters not reasonably anticipated 48 hours in advance of meeting.

Adjourn 5:00 p.m.

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Exhibits

Pellham Community Hall, 40 Amherst Road, Pelham, V18-304
Exhibit – Variance Application and associated documents

Gamestop, 647 Boylston Street, Boston, V18-313

Interior Alterations, 52-54 JFK Street, Cambridge, V18-314
Exhibit – Variance Application and associated documents

Town Hall, 334 Main Street, Great Barrington, V18-315
Exhibit – Variance Application and associated documents

St. Helena's House, 89 Union Park Street, Boston, V18-316
Exhibit – Variance Application and associated documents

Walpole Dental, 965 Main Street, Unit 3 & Unit 3B, Walpole, V18-317
Exhibit – Variance Application and associated documents

The Norad Mill, 60 Roberts Drive, North Adams, V18-318
Exhibit – Variance Application and associated documents

EH Chocolatier, 145 Huron Avenue, Cambridge, V18-319
Exhibit – Variance Application and associated documents

St. Paul's Residence, 32-34 Mount Auburn Street, Cambridge, V18-320
Exhibit – Variance Application and associated documents

Seasonal Ice Rink, 7 Crown Drive, Quincy, V18-321
Exhibit – Variance Application and associated documents

Job Connector, 782-798 Main Street, Cambridge, V18-322
Exhibit – Variance Application and associated documents

Six Floor Apartment Building, 1039 Massachusetts Avenue, Cambridge, V18-323
Exhibit – Variance Application and associated documents

Millers River Apartments, 15 Lambert Street, V18-324
Exhibit – Variance Application and associated documents

Proposed Multifamily, 844 Morton Street, Mattapan, V18-325
Exhibit – Variance Application and associated documents

TD Garden, 100 Legends Way, Boston, V18-326
Exhibit – Variance Application and associated documents

Forest Street Apartments, 16-19 Forest Street, Cambridge, V18-327
Exhibit – Variance Application and associated documents

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Cross Slope, 215 Border Street, East Boston, V18-328
Exhibit – Variance Application and associated documents

77 Unit Building, 10 Shipyard Drive, Hingham, V18-329
Exhibit – Variance Application and associated documents

Six Level Structure, 480 Rutherford Avenue, Charlestown, V18-330
Exhibit – Variance Application and associated documents

Truth Organic Spa, 55 North Main Street, North Grafton, V18-331
Exhibit – Variance Application and associated documents

Barnum Hall, Tufts, 163 Packard Avenue, Medford, V18-332
Exhibit – Variance Application and associated documents

Sidewalk Area, 899 Boylston Street, Boston, V18-333
Exhibit – Variance Application and associated documents

Haynes House, 725-751 Shawmut Avenue, Boston, V18-334
Exhibit – Variance Application and associated documents

Halibut Point Visitors Parking Lot, Gott Ave. and Visitor Center, Granite St., Rockport, C13-036, V14-125
Exhibit – Variance Application and associated documents

Town Hall, 59 Main Street, Hatfield, V13-136
Exhibit – Variance Application and associated documents

Mixed-use Building, 23 Federal Street, Nantucket, V15-300
Exhibit – Variance Application and associated documents

Beaver Country Day School, 791 Hammond Street, Brookline, V16-019 & V17-336
Exhibit – Variance Application and associated documents

Existing Granit Slabs, 106 Blackston Street, Boston, V18-085
Exhibit – Variance Application and associated documents

Linden Industrial Center, 71 Linden Street, Lynn, V18-166
Hospital for Large Animals, Cummings School of Veterinary Medicine at Tufts University, 53 Willard Street, North Grafton, V18-211
Exhibit – Variance Application and associated documents

Lincoln Street Elementary, 549 Lincoln Street, Worcester, V18-126
Exhibit – Variance Application and associated documents

Thorndyke Road School, 20 Thorndyke Road, Worcester, V18-127
Exhibit – Variance Application and associated documents

October 15, 2018

South High Community School, 170 Apricot Street, Worcester, V18-186
Exhibit – Variance Application and associated documents

Shady Hill School, Building 512 Renovations, 178 Coolidge Hill, Cambridge, V18-217
Exhibit – Variance Application and associated documents

Walpole Police Headquarters, 50 South Street, Walpole, V18-243
Exhibit – Variance Application and associated documents

Sidewalk, 150-152 State Street, Boston, V18-264
Exhibit – Variance Application and associated documents

Lost Shoe Brewing, 19 Weed Street, Marlborough, V18-270
Exhibit – Variance Application and associated documents

Evolve Fitness, 11 California Avenue, Framingham, V18-273
Exhibit – Variance Application and associated documents

Walando Homes, 25, 31 Orlando Street, 91, 93, 95, 97, 99, 101 Waldeck Street, Boston, V18-277
Exhibit – Variance Application and associated documents

Curb Cuts & Sidewalks, Multiple Locations, Arlington, Lawrence, Lowell, Revere, Swampscott, V18-281
Exhibit – Variance Application and associated documents

Residential Rehabilitation Services, 46-48 Kent Avenue, Pittsfield, V18-288
Exhibit – Variance Application and associated documents

Haskell Hall, Tufts University, 43 Latin Way, Somerville, V18-299
Exhibit – Variance Application and associated documents

PostMark Square, 136 Haven Street, Reading, V18-301
Exhibit – Variance Application and associated documents

Squirrelwood Apartments, Multiple Streets, Cambridge, V18-305
Exhibit – Variance Application and associated documents

Restaurant, 283-285 Hanover Street, Boston, V18-306
Exhibit – Variance Application and associated documents

Quinsigamond Community College, 670 West Boylston Street, Worcester, V18-311
Exhibit – Variance Application and associated documents

Water Fountains 521 CMR 36.1.1, Howe Engineers, Inc., A18-010
Exhibit – Variance Application and associated documents

October 15, 2018

Barn, 317-341 Virginia Road, Concord (V18-027) - Variance Hearing

Exhibit #1 – Hearing package AAB 1 – 43

Exhibit #2 – Email, plan and photo showing current measurements

Jonathan Maynard Building, 14 Vernon St., Framingham (V18-239) - Variance

Exhibit #1 Hearing Package AAB 1-27

Exhibit #2 – Email from Karen Dempsey

Exhibit 3 – New site plan

Exhibit #4 – Site Plan – Proposed Option 2

October 15, 2018

Administrative Discussion and Incoming Case Review occurs throughout the course of the day.

Page 22 of 22